

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NORTH DAKOTA
EASTERN DIVISION

UNITED STATES OF AMERICA,)
)
)
Plaintiff,) Case No. 3:20-cv-42
)
)
v.)
)
HAMPTON CORPORATION, INC.,)
DANIEL STAUSS,)
SCOTT STAUSS,)
STEEPLE APTS, LLC,)
HEPPER OLSON ARCHITECTS, LTD.,)
PRIBULA ENGINEERING, PLLC,)
HDD, INC., and)
TIMES SQUARE TOWNHOMES II, INC.,)
)
)
Defendants,)
)
and)
)
CARRINGTON TOWNHOMES, INC.,)
SOUTH HAMPTON TOWNHOMES, INC., and)
TOWNHOMES AT CHARLESWOOD LLP,)
)
)
Rule 19 Defendants.)
)

)

CONSENT ORDER

In the above-entitled action, the Plaintiff Intervener High Plains Fair Housing Center, Inc. (“High Plains”) asserts claims against the Defendants Hampton Corporation, Inc., HDD, Inc., South Hampton Townhomes, Inc., Steeple Apts, LLC, Times Square Townhomes II, Inc., and Carrington Townhomes, Inc. (the “Hampton/Carrington Defendants”) including, but not limited to, claims under the Fair Housing Act (“FHA”) 42 U.S.C. § 3601 et seq. High Plains and the Hampton/Carrington Defendants have now reached terms with respect to settlement of all of the claims of High Plains against the Hampton/Carrington Defendants, with said terms incorporated in this Consent Order.

NOW, THEREFORE, it is the Order of this Court as follows:

1. The Hampton/Carrington Defendants will comply with the FHA to the extent the same is applicable to the South Hampton Townhome Apartments, the Steeple Apts, and Carrington Townhomes Buildings 3383A and 3383C (said properties as more fully described in the Complaint of High Plains), however any modifications or retrofits to said properties will be limited in accord with the terms of the Consent Decree approved by the Court in the above-entitled action on August 19, 2021 (docket #81).

2. The Hampton/Carrington Defendants will make available, upon request, to rental applicants and residents of the above-described properties, copies of the National Fair Housing Alliance's Brochure *Fair Housing Rights of Persons With Disabilities* and North Dakota Department of Labor's Brochure *Understanding Housing Discrimination Laws in North Dakota* (Rev. 10-17) with the same to be displayed in a conspicuous location in the rental property office(s) for the above-described properties.

3. Within fourteen (14) days from the date of the Court's approval of this Consent Order, the Hampton/Carrington Defendants will pay to High Plains the sum of \$19,500.00.

4. With the exception of the obligations created by the terms of this Consent Order, High Plains and the Hampton/Carrington Defendants release all claims, causes of action, demands for payment of money and/or rights to recover damages from each other and/or their existing or former agents, representatives, employees, officers, directors and/or principals that were or could have been asserted in the above-entitled action. It is the intent of the parties that this release extends to known and unknown claims. High Plains and the Hampton/Carrington Defendants waive the benefit of any statute or doctrine of common law limiting the scope of this release to known claims. The terms of this release are contractual and not a mere recital. In entering into this release, High Plains and the Hampton/Carrington Defendants are relying upon their own

investigation and analysis, and not upon statements of any parties to this litigation or any third parties.

5. Upon entry of this consent order, this matter is fully resolved. The court shall retain jurisdiction solely for purposes of enforcement.

APPLICATION FOR ENTRY OF CONSENT ORDER

The undersigned hereby apply for and consent to the entry of this Order:

BRANCART & BRANCART

/s/ Christopher Brancart

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**ATTORNEYS FOR PLAINTIFF-INTERVENOR
HIGH PLAINS FAIR HOUSING CENTER, INC.**

/s/ Jon S. Brakke

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Attorneys for Defendants

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HDD, Inc., Scott Strauss, South Hampton
Townhomes, Inc., Steeples Apts, LLC, and
Times Square Townhomes II, Inc.**

Dated: 09/15, 2021

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ADOPTION OF CONSENT ORDER

The Court has reviewed this Consent Order on an application by the Parties and finds it is reasonable. The Court therefore **ADOPTS** the Consent Order in its entirety and enters it accordingly.

IT IS SO ORDERED.

DATED this 20th day of September, 2021.



Daniel M. Traynor
United States District Judge